

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<p>CHELSEA KOENIG, on behalf of herself and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>PRIMANTI CORPORATION D/B/A PRIMANTI BROS.; DAVID HEAD; ANDREW TAUB; DEMETRIOS PATRINOS; JAMES CHU; NICHOLAS NICHOLAS; and DOE DEFENDANTS 1-10,</p> <p style="text-align: center;">Defendants.</p>	<p>Civil Action No. 16-1402 Hon. Nora Barry Fischer</p>
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**PARTIES' JOINT STIPULATION AND [PROPOSED] ORDER REGARDING  
SUPPLEMENTAL PARTICIPATING SETTLEMENT CLASS MEMBERS**

WHEREAS, on April 23, 2018, the Court<sup>1</sup>, after holding a Final Approval Hearing and hearing argument from counsel for the Named Plaintiff Chelsea Koenig (“Plaintiff”) and Defendants Primanti Corp. d/b/a Primanti Bros., David Head, Andrew Taub, Demetrios Patrinos, James Chu, Nicholas Nicholas (collectively “Defendants” who, together with Plaintiff, the “Parties”), granted final approval of the Settlement in the above-captioned matter;

WHEREAS, in accordance with the terms of the Settlement, distribution of the Settlement Amount was made to Participating Settlement Class Members;

WHEREAS, during the course of this distribution, three individuals identified in Exhibit A attached hereto (“Three Individuals”) contacted Class Counsel and asserted that they a submitted timely and valid Claim Form to the Claims Administrator;

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<sup>1</sup> Capitalized terms shall have the same meaning as ascribed to them in the Settlement Agreement.

WHEREAS, although the Claims Administrator has no record of the Three Individuals submitting any documentation to them, the Parties have met and conferred and determined that these Three Individuals should be treated as Participating Settlement Class Members (“Supplemental Participating Settlement Class Members”); and

WHEREAS, no other individual has contacted Class Counsel and asserted that they too submitted a Claim Form to the Claims Administrator for which the Claims Administrator does not have a record thereof;

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED that: (i) the Three Individuals should be treated as Participating Settlement Class Members and be bound by the terms of the Settlement; (ii) such individuals shall be paid based on the Claims Administrator’s estimate of what other Participating Settlement Class Members who worked similar hours recovered; and (iii) other than as set forth in this stipulation, the Three Individuals shall be bound by the terms of the Settlement Agreement and this Court’s prior orders in all other respects.

Dated: August 13, 2018

Respectfully submitted,

**CONNOLLY WELLS & GRAY, LLP**

/s/ Gerald D. Wells, III

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*Class Counsel*

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*Counsel for Defendants*

**SO ORDERED.**

BY THE COURT:

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**NORA BARRY FISCHER, U.S.D.J.**

**DATED:** \_\_\_\_\_

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 13<sup>th</sup> day of August 2018, a true and correct copy of the foregoing document was filed with the Court utilizing its CM/ECF system, which will send notice of such filing to all counsel of record.

/s/ Gerald D. Wells, III  
Gerald D. Wells, III